

REMARKS

By the present communication claim 1 is amended to define Applicants' invention with greater particularity. No new matter has been added. Claims 1-16 are pending.

The rejection of claims 1-5, 11 and 12 under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement, is respectfully traversed. As the Office is aware, to satisfy the written description requirement, a patent specification must describe the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention. See, e.g., *Moba, B.V. v. Diamond Automation, Inc.*, 325 F.3d 1306, 1319, 66 USPQ2d 1429, 1438 (Fed. Cir. 2003); *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d at 1563, 19 USPQ2d at 1116. An applicant shows possession of the claimed invention by describing the claimed invention with all of its limitations using such descriptive means as words, structures, figures, diagrams, and formulas that fully set forth the claimed invention. *Lockwood v. American Airlines, Inc.*, 107 F.3d 1565, 1572, 41 USPQ2d 1961, 1966 (Fed. Cir. 1997).

In the Office Action it is asserted that there is no structure/function relationship between the disclosed retinoid compounds and others that might be found using the methods of the invention. It is respectfully submitted that the Examiner's attention be brought to Examples 2-43 in the specification, wherein it is clearly demonstrated that a retinoid compound having RAR_β and/or RAR_δ-selective agonist activity is useful for reducing degeneration of photoreceptors in the eye of a human caused by radiation in the visible range. Moreover, there is disclosure throughout the specification of compounds having the claimed selective agonist activity. Therefore, it is submitted that the specification provides adequate written description and provides ample demonstration that Applicants are in possession of the claimed invention. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

The rejection of claims 1-5, 11 and 12 under 35 U.S.C. 112, first paragraph, as allegedly not providing enablement for preventing degeneration of photoreceptors, is respectfully traversed. Without addressing the merit of the rejection, it is submitted that the rejection is rendered moot by the amendment to claim 1 set forth herein. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

The rejection of claims 1-5, 11 and 12 under 35 U.S.C. 102(e) as allegedly being anticipated by Hughes (U.S. Application No. 2005/0009910) is respectfully traversed. The present invention provides methods for reducing degeneration of photoreceptors in the eye of a human caused by radiation in the visible range which comprises administering to said mammal a retinoid compound having RAR β and/or RAR δ -selective agonist activity. In contrast, Hughes is silent with respect to conditions arising from radiation in the visible range. Indeed, only the present invention describes such a method. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. Please charge Deposit Account 01-0885 for any fees related to this response. If the Examiner has any questions, please call the undersigned at 714-246-2559.

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